

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

EIS, INC.,

Plaintiff,

v.

INTIHEALTH GER GMBH,  
WOW TECH USA, LTD., WOW TECH  
CANADA, LTD. and NOVOLUTO GMBH,

Defendants.

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Civil Action No.: 19-cv-1227-GBW

Demand For Jury Trial

NOVOLUTO GMBH,

Counterclaimant,

v.

EIS, INC., EIS GMBH,  
TRIPLE A IMPORT GMBH,  
and TRIPLE A MARKETING GMBH,

Counterclaim Defendants.

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**LETTER TO THE HONORABLE GREGORY B. WILLIAMS IN RESPONSE TO  
COUNTERCLAIM DEFENDANTS' MOTION TO STRIKE  
DOCTRINE OF EQUIVALENTS ALLEGATIONS**

The Honorable Gregory B. Williams

March 13, 2023

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Dear Judge Williams:

Defendants IntiHealth Ger GmbH, WOW Tech USA, Ltd., WOW Tech Canada, Ltd., and Novoluto GmbH (collectively “WOW Tech”) hereby respond to Counterclaim Defendants’ Motion to Strike and accompanying Letter (D.I. Nos. 315 & 316) as follows:

In light of the Court’s rejection of EIS’ claim construction arguments (*see* D.I. 300), there is no need in this case for WOW Tech to rely on the doctrine of equivalents. Therefore, WOW Tech agrees that the doctrine of equivalents will not be relied upon at trial.

Respectfully,

*/s/ Paul D. Brown*

Paul D. Brown (#3903)

PDB:kcs

cc: Clerk of Court (via hand delivery)  
All Counsel of Record (by CM/ECF and E-mail)